

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
NEW YORK CITY TRANSIT AUTHORITY, : Civ. Action No. 1:24-cv-01123 (LGS)  
Plaintiff, :  
: **AMENDED NOTICE  
OF MOTION FOR  
PRELIMINARY INJUNCTION**  
- against - :  
WESTFIELD FULTON CENTER LLC, :  
Defendant. :  
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**PLEASE TAKE NOTICE** that upon the accompanying declaration of David Florio, dated February 27, 2024, in support of motion for preliminary injunction and the exhibits thereto, the accompanying declaration of John G. Nicolich, dated February 28, 2024, in support of the motion and the exhibits thereto, the accompanying memorandum of law in support of the motion, and upon all prior papers and proceedings in this action, plaintiff New York City Transit Authority (“NYCTA”), by and through its undersigned attorneys, respectfully moves before the Honorable Lorna G. Schofield, at the United States Courthouse, Southern District of New York, 40 Foley Square, Courtroom 1106, New York, New York, 10007, on such date and time as the Court may designate or the parties agree upon in a briefing schedule and scheduling order, for an order under Fed. R. Civ. P. 65(a): (1) granting NYCTA a preliminary injunction enjoining defendant Westfield Fulton Center, LLC (“Westfield”), until a trial of this action can be had, from (a) ceasing operations at the Fulton Center in Lower Manhattan; and (b) terminating the lease between NYCTA and Westfield for the Fulton Center; and (2) granting such other and further relief as the Court deems just and proper.

Dated: New York, New York  
March 4, 2024

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